IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1616 OF 2005

IN

SUIT NO. 2722 OF 2001

Mrs. Laxmibai Muttayya Sanda.... Plaintiff.

Versus

Laxmanrao Chandraya Basa & Ors.... Defendants.

Mr. G.B.Bhatt for the Plaintiff.

Ms.Sindha Shreedharan for MHADA.

Mr. R. Y. Gaonkar with Mr. B.R.Patil
for Respondent Nos.4 and 5.

CORAM : S.C.DHARMADHIKARI, J.

DATED : 14TH JUNE, 2006.

P.C.:

The Chamber Summons is duly served on the Defendants as well as Respondents / proposed Defendants. Learned Advocate appearing for the Plaintiff in support seeks one week time to file affidavit proving service.

2. Learned Advocate for the Plaintiff also makes a statement that the Plaintiff will not prosecute and

press the suit No.285 of 2005 which is filed in the City Civil Court at Bombay.

3. For the reasons set out in the affidavit in support and for effective and complete resolution of the controversy in the present suit, the presence of the Co-operative Society, the Slum Rehabilitation Authority, and the authority holder from the Slum Rehabilitation Authority, namely, the Builder is necessary. Therefore, the Chamber Summons is made absolute in terms of prayer clauses (a) and (b). The present Respondents / proposed Defendant Nos.1 to 5 shall be added as party Defendants to the suit.

4. The amendments to be carried out within a period of two weeks. Copy of the amended plaint to be served on the newly added Defendants as well as the Defendants within a period of four weeks thereafter. Additional written statement, if any, to be filed within a period of eight weeks from the date of the receipt of the amended copy of the Plaint.

5. Upon amendments being carried out, it would be open for the Plaintiff to take out appropriate proceedings for other reliefs.

6. All contentions of all the parties are kept open.

7. Chamber Summons is disposed of, accordingly. No order as to costs.

Sd/-

(S.C.DHARMADHIKARI,J.)